

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

Timothy Tangen,

Plaintiff,

v.

Fluor Intercontinental, Inc.; Fluor Government  
Group International, Inc.; and Alliance Project  
Services, Inc.,

Defendants.

C/A No.: 6:21-cv-00335-BHH

**DEFENDANTS FLUOR  
INTERCONTINENTAL, INC. AND  
FLUOR GOVERNMENT GROUP  
INTERNATIONAL, INC.'S  
MOTION TO DISMISS**

Defendants Fluor Intercontinental, Inc. and Fluor Government Group International, Inc. (collectively, “Fluor”), by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby move this Court for an order granting their motion to dismiss the Complaint (“Motion”) against Plaintiff Timothy Tangen (“Plaintiff”). This Motion is made on the grounds that Plaintiff’s Complaint fails to state a claim upon which relief can be granted and should be dismissed because: (i) Plaintiff’s claims are preempted based on the Federal Tort Claims Act’s “combatant activities” exception; (ii) the Army has refused to release essential classified information; and (iii) Plaintiff lacks standing to assert a breach-of-contract claim under Fluor’s federal government contract. This Motion is supported by the applicable law, the pleadings in this action, and the memorandum filed in support and served herewith.

*[SIGNATURE PAGE FOLLOWS]*

Respectfully submitted,

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February 26, 2021  
Greenville, South Carolina